

PART-I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 4th May, 2020

No. Leg.12/2020.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 20th April, 2020 and is hereby published for general information:-

HARYANA ACT NO. 11 OF 2020**THE HARYANA PANCHAYATI RAJ (AMENDMENT) ACT, 2020****AN****ACT***further to amend the Haryana Panchayati Raj Act, 1994.*

Be it enacted by the Legislature of the State of Haryana in the Seventy-first Year of the Republic of India as follows:-

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| 1. | This Act may be called the Haryana Panchayati Raj (Amendment) Act, 2020. | Short title. |
| 2. | In section 2 of the Haryana Panchayati Raj Act, 1994 (hereinafter called the principal Act),-
(a) for clause (ii), the following clause shall be substituted, namely:-
“(ii) “Adult” means a person, male or female or transgender, who has attained the age of eighteen years;”;
(b) after clause (lxx), the following clause shall be inserted namely:-
“(lxx-a) “Ward Sabha” means a body consisting of persons registered in the voters list of each constituency of each Gram Panchayat.”. | Amendment of section 2 of Haryana Act 11 of 1994. |
| 3. | For sub-section (1) of section 3 of the principal Act, the following sub-section shall be substituted, namely:-
“(1) Every Gram Panchayat, Panchayat Samiti and Zila Parishad unless sooner dissolved under any law for the time being in force, shall continue for a period of five years from the date of notification issued by the State Election Commission in which elected representative are notified.”. | Amendment of section 3 of Haryana Act 11 of 1994. |
| 4. | After section 3 of the principal Act, the following section shall be inserted, namely:-
“3A. Ward Sabha.—
(1) Subject to the general orders of the Government, every Ward Sabha shall meet at least once in six months.
(2) The quorum for the meeting of a Ward Sabha shall be not less than one-tenth of the total number of members of the Ward Sabha or twenty members, whichever is less.
(3) The Ward Sabha shall, exercise the following powers and discharge the following functions in such manner, as may be prescribed, namely:-
(a) generate proposals and determine the priority of schemes and development programme to be implemented in the area of the Ward Sabha and forward the same to the Gram Sabha for inclusion in Gram Panchayat development plan;
(b) identify the most eligible persons from the area of Ward Sabha for beneficiary oriented schemes on the basis of criteria fixed and prepare list of eligible beneficiaries in the order of priority and forward the same to the Gram Panchayat;
(c) verify the eligibility of persons getting various kinds of welfare assistance from Government such as pensions and subsidies; | Insertion of section 3A in Haryana Act 11 of 1994. |

- (d) get the information from the officers of the Gram Panchayat as to the services they shall render and the works they propose to do in the succeeding period of six months after the meeting of the Ward Sabha;
 - (e) get information from the Gram Panchayat on the rational of every decision of the Gram Panchayat concerning the area of the Ward Sabha;
 - (f) get information from the Gram Panchayat on the follow up action taken on the decisions of the Ward Sabha;
 - (g) provide and mobilize voluntary labour and contributions in cash and kind for development work and supervise such development works through volunteer teams;
 - (h) make efforts to ensure that the members of Ward Sabha pay taxes and repay loans to the Gram Panchayat;
 - (i) suggest the location of streetlights, street or community water taps, public wells, public sanitation units, irrigation facilities and such other public amenity schemes within the area of the Ward Sabha;
 - (j) identify the deficiencies in the water supply and street lighting arrangements in the area of Ward Sabha and suggest remedial measures;
 - (k) impart awareness on matters of public interest such as cleanliness, preservation of the environment and prevention of pollution;
 - (l) assist the employees of the Gram Panchayat in sanitation arrangements in the area of Ward Sabha and render voluntary service in the removal of garbage;
 - (m) promote programme of adult education within the area of Ward Sabha;
 - (n) assist the activities of public health centers in the area of the Ward Sabha especially in disease prevention and family welfare and to prevent incidence of epidemics and natural calamities;
 - (o) promote harmony and unity among various groups of people in the area of the Ward Sabha and to arrange cultural festivals and sports meets to give expression to the talents of the people of the locality; and
 - (p) exercise such other powers and discharge such other functions, as may be prescribed.
- (4) The procedure for convening and conducting the meetings of the Ward Sabha shall be such, as may be prescribed.
- (5) Every meeting of a Ward Sabha shall be presided over by the member of the Gram Panchayat elected from the area of the concerned Ward Sabha and in his absence, by any other member of the Gram Panchayat to be nominated by the Sarpanch.
- (6) All resolutions in respect of any issue in the meeting of the Ward Sabha shall be passed by a majority of the members present and voting.”.

Amendment of
section 11 of
Haryana Act 11
of 1994.

5. In section 11 of the principal Act,-
- (i) after sub-section (7), the following sub-section shall be inserted, namely:-
“(7A) For any general meeting of the Gram Sabha, one-tenth of the members of Gram Sabha or three hundred members, whichever is less, shall form a quorum.”;
 - (ii) in sub-section (8), in the end, the words and signs shall be added, namely:-
“In case such functionary does not attend the meeting, without reasonable cause the Gram Sachiv shall report his absence to the Government.”.

Substitution of
section 17 of
Haryana Act 11
of 1994.

6. For section 17 of the principal Act, the following section shall be substituted, namely:-
“17. Modification or cancellation of resolution.- (1) A Gram Panchayat may modify, amend, vary or cancel its resolution within a period of three months from the date of its passing:

Provided that such resolution for modifying, amending, varying or cancelling thereof shall be supported by three-fourth of the total number of panches of such Gram Panchayat.

- (2) In case a resolution is required to be passed by a Gram Panchayat for sale, lease or exchange of its land, in which approval of the Government is required, the proposal shall be placed before Gram Sabha for its suggestion and approval before a resolution is passed by the Gram Panchayat and is forwarded to the Government for approval.
- (3) No resolution of a Gram Panchayat shall be modified, amended, varied or cancelled by a Gram Panchayat after the expiry of a period of three months, except with the prior approval of Government.
- (4) The Gram Panchayat shall act upon its resolution within a period of three months from the date of passing of the resolution or approval by the competent authority, if required.”.
7. In sub-section (1) of section 20 of the principal Act,-
- (i) for the sign “.” existing at the end, the sign “:” shall be substituted; and
- (ii) the following proviso shall be added, namely:-
- “Provided that the Gram Panchayat shall prepare a report of the work not done, during the previous year and also record the reasons.”.
8. In sub-section (4) of section 24 of the principal Act, for the words “one thousand rupees”, the words “five thousand rupees” shall be substituted.
9. In section 25 of the principal Act,-
- (i) for clause (s), the following clause shall be substituted, namely:-
- “(s) regulate and prohibit burning of residuals of crops;”;
- (ii) after clause (s), the following clause shall be added, namely:-
- “(u) specify the manner and the measures to regulate water conservation in the village;
- (v) regulate the management of stray cattle;
- (w) prohibit open defecation in village.”.
10. For section 27 of the principal Act, the following section shall be substituted, namely:-
- “27. Penalty for disobedience of a special or general order of Gram Panchayat.- Any person who disobeys an order passed under sections 24 or 25 by the Gram Panchayat, shall be liable to a penalty of minimum one hundred rupees which may extend to maximum two thousand rupees and if the breach is continuous with a further penalty which may extend to one hundred rupees for everyday after the first breach during which the breach continues:
- Provided that the penalty for recurring breach shall not exceed the sum of ten thousand rupees:
- Provided further that if the amount of penalty is not deposited within a period of thirty days, it shall be recovered as arrear of land revenue within six months.”.
11. In section 28 of the principal Act, for the word “Director”, the words “concerned Deputy Commissioner” shall be substituted.
12. In sub-section (3) of section 35 of the principal Act, for the words “fifty rupees”, the words “five hundred rupees” shall be substituted.
13. In sub-section (2) of section 43 of the principal Act, for the words “as may be prescribed”, the words “of fifty rupees” shall be substituted.
14. In sub-section (1) of section 54 of the principal Act, for the words “five hundred rupees”, the words “one thousand rupees” shall be substituted.
15. In sub-section (4) of section 125 of the principal Act, for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.

Amendment of
section 20 of
Haryana Act 11 of
1994.

Amendment of
section 24 of
Haryana Act 11
of 1994.

Amendment of
section 25 of
Haryana Act 11
of 1994.

Substitution of
section 27 of
Haryana Act 11
of 1994.

Amendment of
section 28 of
Haryana Act 11
of 1994.

Amendment of
section 35 of
Haryana Act 11
of 1994.

Amendment of
section 43 of
Haryana Act 11
of 1994.

Amendment of
section 54 of
Haryana Act 11
of 1994.

Amendment of
section 125 of
Haryana Act 11
of 1994.

- Amendment of section 171 of Haryana Act 11 of 1994. **16.** In clause (b) of section 171 of the principal Act, for the words “one thousand rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 172 of Haryana Act 11 of 1994. **17.** In sub-section (1) of section 172 of the principal Act, for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 176 of Haryana Act 11 of 1994. **18.** After sub-section (5) of section 176 of the principal Act, the following sub-section shall be added, namely:-
“(6) Any person, aggrieved by an order passed by the civil court under sub-section (4), may within a period of thirty days from the date of such order, prefer an appeal to the District Judge having ordinary jurisdiction in the area. The District Judge may after hearing the appeal, confirm, vary or reverse the order. The decision of the District Judge shall be final.”.
- Amendment of section 180 of Haryana Act 11 of 1994. **19.** In sub-section (2) of section 180 of the principal Act, for the words “one thousand rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 181 of Haryana Act 11 of 1994. **20.** In sub-section (2) of section 181 of the principal Act, for the words “one thousand rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 182 of Haryana Act 11 of 1994. **21.** In sub-section (3) of section 182 of the principal Act, for the words “one thousand rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 183 of Haryana Act 11 of 1994. **22.** In sub-section (2) of section 183 of the principal Act, for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 184 of Haryana Act 11 of 1994. **23.** In sub-section (3) of section 184 of the principal Act, for the words “one thousand rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 185 of Haryana Act 11 of 1994. **24.** In sub-section (1) of section 185 of the principal Act, for the words “two thousand rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 186 of Haryana Act 11 of 1994. **25.** In sub-section (1) of section 186 of the principal Act, for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 187 of Haryana Act 11 of 1994. **26.** In sub-section (2) of section 187 of the principal Act,-
(i) in clause (a), for the words “rupees one thousand”, the words “ten thousand rupees” shall be substituted;
(ii) in clause (b), for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 243 of Haryana Act 11 of 1994. **27.** In section 243 of the principal Act, for the words “one thousand rupees”, the words “five thousand rupees” shall be substituted.

BIMLESH TANWAR,
SECRETARY TO GOVERNMENT, HARYANA,
LAW AND LEGISLATIVE DEPARTMENT.